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E-FILED - 3/6/09

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,) No. CR-08-00904 & CR-03-20145-RMW
Plaintiff,)
v.) **STIPULATION TO CONTINUE
HEARING AND EXCLUDE TIME;
[] ORDER**
LUIS GUZMAN-HERNANDEZ)
Defendant.)

Defendant and the government, through their respective counsel, hereby stipulate that, subject to the court's approval, the hearing in the above-captioned matter, presently scheduled for Monday, March 9, 2009 at 9:00 a.m., be continued to Monday, March 16, 2009, at 9:00 a.m. The continuance is requested to allow continued defense investigation and preparation.

20 The parties further agree that time should be excluded under the Speedy Trial Act because
21 the defense requires time for effective preparation and investigation, and the ends of justice
22 outweigh the defendant's and the public's need for a speedy trial.

23 || Dated: 3/5/09

/s/
LARA S. VENNARD
Assistant Federal Public Defender

25 || Dated: 3/5/09

/s/
CHAD MANDELL
Assistant United States Attorney

STIPULATION TO CONTINUE
HEARING DATE; [] ORDER
No. CR-08-00904

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,) No. CR-08-00904 & CR-03-20145-RMW
) Plaintiff,) **[] ORDER CONTINUING
) HEARING AND EXCLUDING TIME
v.)
) LUIS GUZMAN-HERNANDEZ,)
) Defendant.)**

17 The parties have jointly requested a continuance of the hearing set for Monday, March 9,
18 2009, to allow time for the defense to complete investigation.

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date presently set for Monday, March 9, 2009, be continued to Monday, March 16, 2009, at 9:00 a.m.

Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time from March 9, 2009 to March 16, 2009, shall be excluded from the period of time within which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

24 | Dated: 3/6/09

Ronald M. Whyte
RONALD M. WHYTE
United States District Judge

STIPULATION TO CONTINUE
HEARING DATE; [] ORDER
No. CR-08-00904